

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated September 20, 2007, has been received and its contents carefully reviewed.

Claims 1, 4, 5, 8-13, 15 and 16 are rejected by the Examiner. With this response, claims 1, 8, 10 and 12 have been amended and claims 5, 13 and 15-16 have been deleted without prejudice or disclaimer. Thus, claims 1, 4, 8, 9, 10, 11 and 12 remain pending in this application.

In the Office Action, claims 1, 4-5 and 10-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,069,678 to Sakamoto et al. (hereinafter "Sakamoto") in view of U.S. Patent No. 6,281,953 to Lee et al. (hereinafter "Lee"). Claims 8-9, 12-13, and 15-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakamoto in view of Lee and further in view of U.S. Patent No. 6,969,872 to Kim (hereinafter "Kim").

The rejection of claims 1, 4, 5, 10 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Sakamoto in view of Lee is respectfully traversed and reconsideration is requested.

Independent claim 1 recites an in-plane switching mode liquid crystal display device having a combination of features including "at least one common electrode having a predetermined width completely overlapping a data line in width, the common electrode being substantially parallel to the pixel electrode and connected to the common line through a contact hole" and "wherein the pixel electrode and the common electrode are disposed on the same layer and the pixel electrode is formed on the passivation layer." None of the cited references, singly or in combination, teaches or suggests at least these features of the claimed invention.

In rejecting claim 1, the Examiner acknowledges that Sakamoto "does not expressly disclose, wherein the pixel electrode formed on the passivation layer." See Office Action, lines 18-19 page 3.

The Examiner cites Lee as allegedly teaching "forming an in-plane switching LCD wherein a pixel electrode is formed on a passivation layer." As motivation for modifying the teachings of Sakamoto with Lee, the Examiner states, "At the time of the invention it would have been obvious to one of ordinary skill to form the pixel electrode on the passivation layer of Sakamoto as taught by Lee."

Applicants respectfully disagree with the Examiner's statement. Sakamoto merely disclosed "At any rate, the common electrode 310 and the pixel electrode 410 are located on different layers via the insulating film. In addition, the common electrode 310 and the data line 210 are also arranged on different layers via the insulating film" and "In FIG. 8, both the scanning signal line 101 and the common electrode 301 are laid on the second inter layer film 1301 on which the gate electrode 1401 is also laid. The data line 201 (FIG. 9) is formed together with the pixel electrode 401 on the first interlayer film 801 on which the drain electrode 901 and the source electrode 1001 (FIG. 7) are also formed." See lines 43-47 column 3 and lines 41-47 column 4.

Further, Lee merely disclosed "Also, the counter electrode is formed on the gate insulating layer, and the pixel electrode is formed on the passivation layer, thereby shortening the path of fringe field compared with the conventional path. Consequently, a selected intensity of the fringe field can be obtained by a driving voltage that is lower than the conventional driving voltage." See lines 11-16 column 6.

That is, Sakamoto and Lee, the common electrode and the pixel electrode are formed on the different layer. On the contrary, in the claimed invention the common electrode and the pixel electrode are formed on the same layer. Thus, Sakamoto and Lee fail to teach or suggest at least "the pixel electrode and the common electrode are disposed on the same layer."

Further, in the claimed invention the common electrode is disposed on the substrate and connected to the common electrode through the contact hole. See specification page 10, paragraph 34. However, Sakamoto and Lee fail to teach or suggest this structural feature of the claimed invention.

Accordingly, Applicants respectfully submit that as no motivation to combine Sakamoto and Lee has been provided outside of the Applicants specification to make the combination of claim 1, claim 1 is allowable over Sakamoto and Lee.

Applicants note that claim 4 depends from claim 1 and includes by reference all of the elements of claim 1. Accordingly, Applicants submit that claim 4 is allowable over Sakamoto and Lee based on its dependencies from claim 1 and for the reasons given for claim 1.

Applicants respectfully submit that the cancellation in claim 5 renders the rejection of claim 5 moot.

Independent claim 10 recites an in-plane switching mode liquid crystal display device having a combination of elements including “wherein the pixel electrode has a predetermined width and is substantially parallel to the first and second common electrodes and the pixel electrode and the common electrode are disposed on the same layer.” In the Office Action, the Examiner rejects claim 10 for the same reasons as claim 1. Applicants’ arguments with respect to claim 1 are equally applicable to claim 10, and Applicants respectfully submit that claim 10 is allowable over Sakamoto and Lee for the same reasons given for claim 1 above.

Applicants note that claim 11 depends from claim 10 and includes by reference all of the elements of claim 10. Accordingly, Applicants submit that claim 11 is allowable over Sakamoto and Lee based on the dependency from claim 10 and for the reasons given for claim 10.

The rejection of claims 8-9, 12-13, and 15-16 under 35 U.S.C. § 103(a) as being unpatentable over Sakamoto in view of Lee and Kim is respectfully traversed and reconsideration is requested.

Applicants note that claims 8 and 9 now depend from claim 1 and each includes by reference all of the elements of claim 1. Accordingly, Applicants submit that claims 8 and 9 are allowable over Sakamoto, Lee and Kim based on their dependencies from claim 1 and for the reasons given for claim 1.

Applicants note that claim 12 now depends from claim 10 and each includes by reference all of the elements of claim 10. Accordingly, Applicants submit that claim 12 is allowable over Sakamoto, Lee and Kim based on their dependencies from claim 10 and for the reasons given for claim 1.

Applicants respectfully submit that in view of the cancellation of claims 13, 15 and 16, this rejection to these claims is now believed to be moot.

Applicants believe the foregoing amendments and remarks place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at 202.496.7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Respectfully submitted,

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